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## HOUSE RESOLUTION

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REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPACT  
OF THE NEW EXPANDED ADULT PROTECTIVE SERVICES LAW.

1 WHEREAS, adult protective services provides crisis  
2 intervention including investigation and emergency services to  
3 vulnerable adults reported to be abused, neglected, or  
4 financially exploited by others or seriously endangered due to  
5 self-neglect without regard to income; and  
6

7 WHEREAS, Act 154, Session Laws of Hawaii 2008, was enacted  
8 to better protect vulnerable adults by expanding the adult  
9 protective services statutes contained in Chapter 346, part X,  
10 of the Hawaii Revised Statutes; and  
11

12 WHEREAS, since July 1, 2009, the Department of Human  
13 Services has been accepting reports on allegations of caregiver  
14 neglect, physical abuse, psychological abuse, self-neglect,  
15 financial exploitation, and sexual abuse pursuant to the  
16 expanded law; and  
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18 WHEREAS, the expanded law also requires the Department of  
19 Human Services to investigate a report of abuse on a vulnerable  
20 adult, and make an effort to refer the adult to other resources  
21 so that future reports or actual abuse do not occur if the  
22 Department determines that the criteria for abuse or neglect are  
23 not met; and  
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25 WHEREAS, the Department of Human Services has limited  
26 resources and lacks additional staff and funds necessary to  
27 fully implement the expansion of the adult protective services  
28 law; and  
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30 WHEREAS, the Department of Human Services accesses any  
31 existing public or private resource that might be able to assist



1 the client, especially since adult protective services payments  
2 cannot exceed 45 days; and

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4 WHEREAS, the adult protective services program report for  
5 fiscal year 2010 reflected a statewide disparity in reports of  
6 investigated cases of abuse compared to confirmed cases of  
7 abuse, with 1,065 reports of abuse compared to only 170  
8 confirmed cases of abuse; and

9  
10 WHEREAS, the adult protective services program report for  
11 fiscal year 2011 reflected a statewide disparity in reports of  
12 investigated cases of abuse compared to confirmed cases of  
13 abuse, with 1,160 reports of abuse compared to only 99 confirmed  
14 cases of abuse; and

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16 WHEREAS, the adult protective services program report for  
17 fiscal year 2012 reflected a statewide disparity in reports of  
18 investigated cases of abuse compared to confirmed cases of  
19 abuse, with 1,049 reports of abuse compared to only 197  
20 confirmed cases of abuse; and

21  
22 WHEREAS, for fiscal years 2010, 2011, and 2012, there is  
23 insufficient data regarding the following case statuses with  
24 adult protective services:

- 25  
26 (1) The disposition status of cases of abuse allegations  
27 investigated but not confirmed with details per age  
28 bracket;  
29  
30 (2) The disposition status of confirmed adult protective  
31 services cases after the limited 45-day payment  
32 period; and  
33  
34 (3) The status of any subsequent reports, investigations,  
35 or confirmations for adult abuse for cases originally  
36 non-confirmed within the applicable fiscal year; and  
37

38 WHEREAS, the Department of Human Services indicates that it  
39 documents the disposition of a confirmed case, but this  
40 information is kept on a case-by-case basis within the written



1 record, and therefore, it is not available in report form; now,  
2 therefore,

3  
4 BE IT RESOLVED by the House of Representatives of the  
5 Twenty-seventh Legislature of the State of Hawaii, Regular  
6 Session of 2013, that the Department of Human Services is  
7 requested to conduct a study on the expanded adult protective  
8 services law; and

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10 BE IT FURTHER RESOLVED that in its study, the Department of  
11 Human Services is requested to:

- 12
- 13 (1) Identify possible causes for the wide disparity in the  
14 number of investigated adult protective services  
15 reports in fiscal years 2010, 2011, and 2012 compared  
16 to the number of confirmed adult protective services  
17 cases as it relates to the expanded adult protective  
18 services law;
  - 19
  - 20 (2) Identify the disposition status or referral status of  
21 confirmed cases of abuse, as well as abuse reports  
22 investigated but not confirmed, with the disposition  
23 or referral status compiled by age bracket;
  - 24
  - 25 (3) Document the numbers and age bracket of subsequent  
26 adult protective services reports, investigations, or  
27 confirmations for cases originally deemed non-  
28 confirmed within each fiscal year;
  - 29
  - 30 (4) Identify and explain the challenges and any actions  
31 taken regarding:
    - 32 (A) Whether public understanding of the new law  
33 results in a large number of reports or  
34 investigations that do not meet set criteria  
35 found within the law;
    - 36
    - 37
    - 38 (B) Whether the lack of adequate resources within the  
39 Department to confirm and provide intensive  
40 services contributes to problems; and



(C) Other variables affecting the disparity in reported cases of abuse compared to confirmed cases of abuse; and

(5) Identify changes to information systems that would enable the Department to:

(A) Capture the disposition of confirmed cases of abuse as well as abuse reports investigated but not confirmed, with status compiled by age bracket; and

(B) Increase the capability to track, trend, and identify gaps in services per specific age bracket, such as adults under 60 years of age who do not qualify for services from the Department of Health's Adult Mental Health Division, the Case Management Coordination Projects for Frail and Vulnerable Elderly, Catholic Services for the Elderly, or other similar providers; and

BE IT FURTHER RESOLVED that the report include at a minimum:

- (1) The Department's findings regarding the wide disparity of investigated cases of abuse compared to confirmed cases;
- (2) The disposition or referral status of confirmed cases as well as investigated cases per age bracket;
- (3) Identification of gaps in services per age bracket;
- (4) Actions taken and timelines used by the Department to address data collection and reporting; and
- (5) Any other findings regarding the implementation of the expanded adult protective services law; and



1 BE IT FURTHER RESOLVED that the Department of Human  
2 Services is requested to submit a preliminary and a final report  
3 of its findings and recommendations, including any proposed  
4 legislation, to the Legislature no later than 20 days prior to  
5 the convening of the Regular Sessions of 2014 and 2015,  
6 respectively; and

7  
8 BE IT FURTHER RESOLVED that certified copies of this  
9 Resolution be transmitted to the Governor, Director of Human  
10 Services, Administrator of the Social Services Division of the  
11 Department of Human Services, and Administrator of the Adult and  
12 Community Care Services Branch of the Social Services Division  
13 of the Department of Human Services.  
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15  
16

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